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SERVICE DATE - SEPTEMBER 12, 2003

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

ENVIRONMENTAL ASSESSMENT

AB-290 (Sub-No. 238X)

**NORFOLK SOUTHERN RAILWAY COMPANY - ABANDONMENT EXEMPTION - IN
BUCHANAN COUNTY, VA**

BACKGROUND

The Norfolk Southern Railway Company (NS) filed a notice of exemption pursuant to the Board's regulations at 49 CFR 1152.50, for abandonment of its line of railroad lying between Milepost BH-0.0 at Bull Creek and Milepost BH-4.0 at Harman, VA, a distance of 4.0 miles. A map depicting the rail line in relationship to the area served is appended to the report. If the exemption becomes effective, the railroad will be able to salvage track,¹ ties and other railroad appurtenances, and to dispose of the right-of-way.

CONTACTS AND PROCEDURES

The railroad has submitted an environmental report that concludes the quality of the human environment will not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. The railroad has served the environmental report on a number of appropriate Federal, state, and local agencies as required by the Board's environmental rules at 49 CFR 1105.7(b). We have investigated the record in this proceeding. Also, we have consulted with appropriate agencies and individuals to verify the railroad's report and to obtain additional information and comments regarding the potential environmental effects of the proposed abandonment. Contacts have included Natural Resources Conservation Service, State Historic Preservation Officer, National Park Service, U.S. Environmental Protection Agency, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, U.S. Department of Agriculture, Public Service Commission, and National Geodetic Survey.

¹Defined as removal of track and ties

ENVIRONMENTAL REVIEW

Land Use

The proposed transaction involves the abandonment of 4 miles of rail line from Bull Creek Spur Junction to Harman, Virginia. The land use along the rail line proposed for abandonment is 50 percent residential, 25 percent unimproved, 20 percent forest and 5 percent industrial. The proposed abandonment is consistent with local land use plans. We do not anticipate any adverse effects on prime farmland.

Transportation

The proposed abandonment will have no affect on existing transportation systems or patterns. The line has been out of service for the past two years. Consequently, no rail traffic would be diverted to any highway as a result of the abandonment.

Air and Noise Quality

Air

No diversion of traffic from rail to truck transportation will occur as a result of the proposed abandonment, and, therefore, no significant impact on air quality would occur.

Noise

There would not be any diversion of rail traffic to trucks, and, therefore, no significant increase in noise would result. However, temporary increases in noise levels during salvage may occur, but should not have a significant impact on the area surrounding the proposed abandonment.

Wetlands and Water Quality

The proposed abandonment is not anticipated to have any effect upon Federal, state or local water quality standards.

Biological Resources

The proposed abandonment is not anticipated to adversely affect endangered or threatened species or areas designated as critical habitat.

Cultural and Historic Resources

The railroad submitted an historic report as required by the Surface Transportation Board's environmental rules [49 CFR 1105.8(a)]. The railroad served the report on the Virginia Department of Historic Resources, State Historic Preservation Officer (SHPO) pursuant to 49 CFR 1105.8(c). The SHPO has submitted comments stating that no historic properties listed in or eligible for inclusion in the National Register of Historic Places (National Register) would be

affected by the proposed abandonment. We have reviewed the report and the information provided by the SHPO and concur with the SHPO's comments.

Pursuant to the Advisory Council on Historic Preservation's regulations for implementing the section 106 process of the National Historic Preservation Act at 36 CFR 800.4(d)(1) and 36 CFR 800.8, we have determined that the proposed abandonment will not affect historic properties listed in or eligible for inclusion in the National Register. The documentation for this finding, as specified at 36 CFR 800.11(d), consists of the railroad's historic report, all relevant correspondence, and this EA, which have been provided to the SHPO and made available to the public.

CONDITIONS

No conditions are recommended.

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, as currently proposed, abandonment of the line will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and therefore no change in operations), discontinuance of service without abandonment, and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

Following abandonment and any salvage of the rail line, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for imposition of a public use condition (49 CFR 1152.28) must be filed with the Board and served on the railroad within the time specified in the Federal Register notice.

TRAILS USE

A request for a notice of interim trail use (NITU) is due to the Board, with a copy to the railroad, within 10 days of publication of the notice of the petition for exemption in the Federal Register. Nevertheless, the Board will accept late-filed requests as long as it retains jurisdiction to do so in a particular case. This request must comply with the Board's rules for use of rights-of-way as trails (49 CFR 1152.29).

PUBLIC ASSISTANCE

The Board's Office of Public Services (OPS) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPS directly at (202) 565-1592,

or mail inquiries to Surface Transportation Board, Office of Public Services, Room 848, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this environmental assessment, you should send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Phillis Johnson-Ball, who prepared this environmental assessment. **Please refer to Docket No. AB-290 (Sub-No. 238X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Phillis Johnson-Ball at (202) 565-1530.

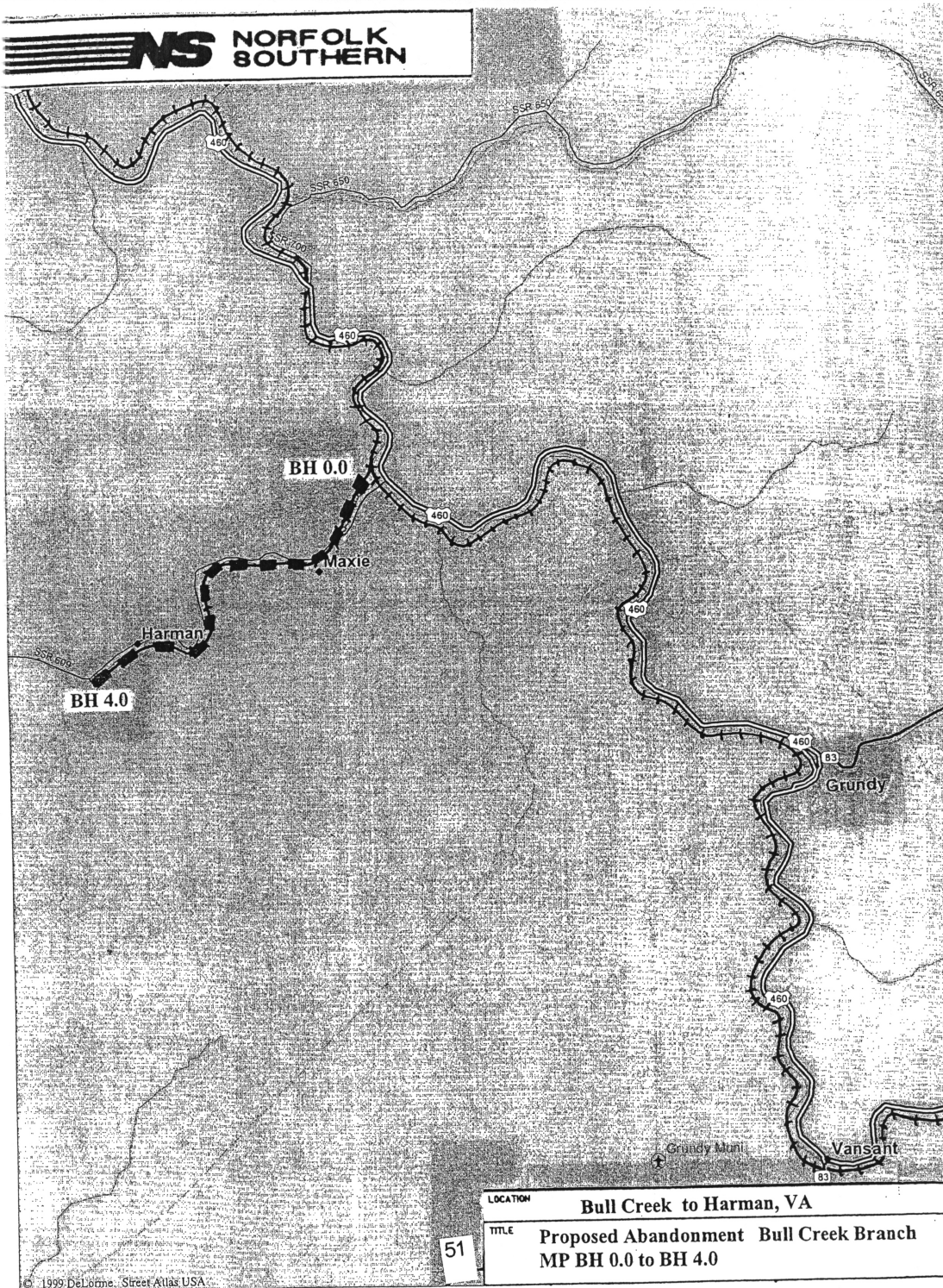
Date made available to the public: 9/12/03.

Comment due date: 9/29/03

By the Board, Victoria Rutson, Chief, Section of Environmental Analysis.

Vernon A. Williams
Secretary

Attachment



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AB-298-238X